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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Warne, et al.

SERIAL NUMBER:

09/971,813

EXAMINER:

Not Yet Assigned

KILING DATE:

October 5, 2001

ART UNIT:

Not Yet Assigned

FOR:

FORMULATIONS FOR IL-11

missioner for Patents Washington, D.C. 20231

PATENT TRADEMARK OFFICE

### TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

- 1. Information Disclosure Statement (1 page), in duplicate;
- 2. Modified Form 1449/PTO (4 pages), in duplicate;
- 3. Copies of Cited References A1-A8, B1-B2 and C1-C72; and
- 4. Return Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 22058-531 CON. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted

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Dated: June 6, 2002

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Express Mail Label No.: EV 074978519 US Attorney Docket No.: 22058-531 CON

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PLICANT(S): Warne, et al.

RIAL NUMBER: 09/971,813 EXAMINER: Not Yet Assigned

FILING DATE: October 5, 2001 ART UNIT: Not Yet Assigned

FOR: FORMULATIONS FOR IL-11

#### **BOX IDS**

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Commissioner for Patents Washington, D.C. 20231

#### INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action based on the merits in the above-identified case. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed Form PTO-1449 to evidence that the cited information has been fully considered by the PATENT AND TRADEMARK OFFICE during the examination of this application.

Please charge any fees that may be due, or credit any overpayment of same to Deposit

Account No. 50-0311 Reference No. 22058-531CON.

Respectfully submitted

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# Express Mail No. EV 074978519 US Date of Deposit: June 6, 2002

Modified Form 1449/PTO TAN 0 6 5005

**INFORMATION DISCLOSURE** 

(use as many sheets as necessary)

STATEMENT BY APPLICANT

Application Number	09/971,813	
Filing Date	10/05/2001	
First Named Inventor	Warne	
Group Art Unit	Not Yet Assigned	
Examiner Name	Not Yet Assigned	
Attorney Docket Number	22058-531 CON	

U.S. PATENT DOCUMENTS								
Exam Initials	Cite No.	U.S. Patent DocumentNo.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class		
	A1	5,215,895	06/01/93	Bennet, et al.				
	A2	5,270,181	12/14/93	McCoy, et al.				
	А3	5,292,646	03/08/94	McCoy, et al.				
	A4	5,679,339	10/21/97	Keith, et al.				
	A5	5,700,664	12/23/97	Yang, et al.				
	A6	5,958,401	09/28/99	Keith, et al.				
	A7	5,371,193	12/06/94	Bennett, et al.				
	A8	6,096,873	08/01/00	Schaefer, et al.				

231		B II		FOREIGN PATENT DOCUMENTS				
Exam Cite Initials No.		Foreign Patent Document Office Number		Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No		
	B1	wo	92/04455	Genetics Institute, Inc.	03/19/1992			
	B2	wo	91/07495	Genetics Institute, Inc.	05/30/1991			

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	C9	Ordaz-Jimenez, et al. (1998). [Gastrointestinal hormones during minimal enteral feeding of sick premature infants] <i>Rev. Invest. Clin.</i> 50(1): 37-42. (Spanish w/ English abstract).				
	C10	Jadcherla, et al. (1997). Regulation of migrating motor complexes by motilin and pancreatic				

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,	C24	Taga and Kishimoto (1997). Gp130 and the interleukin-6 family of cytokines. <i>Annu. Rev. Immunol</i> . <u>15</u> :797-819.				
	C25	Zhang, et al. (1994). Ciliary neurotropic factor, interleukin 11, leukemia inhibitory factor, and oncostatin M are growth factors for human myeloma cell lines using the interleukin 6 signal transducer gp130. <i>J. Exp. Med.</i> 179(4):1337-42.				
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	C37	Adunyah, et al. (1995). Interleukin-11 induces tyrosine phosphorylation, and c-jun and c-fos mRNA expression in human K562 and U937 cells. <i>Ann. NY Acad. Sci.</i> <u>766</u> : 296-9.
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	C41	Wong and Clark (1988). Multiple actions of interleukin 6 within a cytokine network. <i>Immunol. Today</i> (5): 137-9.
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	C43	Jacobs, et al. (1970). Characteristics of a human diploid cell designated MRC-5. <i>Nature</i> <u>227</u> (254): 168-70.
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		Girasole, et al. (1994). Interleukin-11: a new cytokine critical for osteoclast development. <i>J. Clin. Invest.</i> <u>93</u> (4):1516-24.		
		Keith, et al. (1995). Gastroenterology 108(4): A846.		
		Keith, et al. (1994). Gasteroenterology 106(4 part 2): A708.		
C66 Opal, et al. (1995). <i>Blood</i> <u>86</u> (10): 498A.				
mucositis in hamsters by interleukin-11. Eur. J. Cancer B. Oral Oncol. 31B(4): 26  C68 Leonard, et al. (1995). Prevention of experimental autoimmune encephalomyeli against interleukin 12. J. Exp. Med. 181(1): 381-6.  C69 Scofield, et al. (1993). A hypothesis for the HLA-B27 immune dysregulation in s		Sonis, et al. (1995). Alteration in the frequency, severity and duration of chemotherapy-induced mucositis in hamsters by interleukin-11. <i>Eur. J. Cancer B. Oral Oncol.</i> 31B(4): 261-6.		
		Leonard, et al. (1995). Prevention of experimental autoimmune encephalomyelitis by antibodies against interleukin 12. <i>J. Exp. Med.</i> 181(1): 381-6.		
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	C70	Hammer, et al. (1990). Spontaneous inflammatory disease in transgenic rats expressing HLA-B27 and human beta 2m: an animal model of HLA-B27-associated human disorders. <i>Cell.</i> 63(5): 1099-112.		
	C71	Sonis, et al. (1995). Proc. Am. Assoc. Cancer Res. 36: 368.		
	C72	Remington (1995). <i>The Science and Practice of Pharmacy</i> Volume 2: 1403-1404 and 1626-1627. (Mack Publishing – 19 <sup>th</sup> edition).		

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, U.S.S.N. , filed \_\_\_\_\_\_ , and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

	Examiner Signature	*	Date Considered	
- 1				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.

TRA 1674523v1